

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

\* \* \*

DEAN KROGSTAD,

Plaintiff,

V.

NATIONWIDE BIWEEKLY  
ADMINISTRATION, INC., LOAN  
PAYMENT ADMINISTRATION LLC and  
DANIEL LIPSKY,

### Defendants.

Case No. 2:16-cv-00465-APG-DJA

ORDER

This matter is before the Court on Defense Counsel Carol Davis Zucker’s Motion to Withdraw (ECF No. 156), filed on August 15, 2020. Pursuant to Local Rule (“LR”) IA 11-6, “[n]o attorney may withdraw after appearing in a case except by leave of Court after notice has been served on the affected client and opposing counsel.” See LR IA 11-6(b). Having reviewed the motion, the Court finds that requirements of LR IA 11-6(b) have been met. Ms. Zucker indicates that she was retained for limited legal services and that the limited services have been completed given the Court’s recent ruling. The Court will require that Defendant Daniel Lipsky notify the Court by September 16, 2020 as to his intent to proceed pro se or with other representation. Failure to do so may result in dispositive sanctions

Further, the Court will require that Defendants Nationwide Biweekly Administration, Inc. and Loan Payment Administration LLC advise the Court if it will retain new counsel by September 16, 2020 as it must retain new counsel if it intends to continue to litigate this matter. *See United States v. High Country Broad.*, 3 F.3d 1244, 1245 (9th Cir. 1993) (per curiam); *In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) (stating that “[c]orporations and other unincorporated associations must appear in court through an attorney.”). Filing a notice of new counsel on or before September 16, 2020 is sufficient to comply with the Court’s order. Failure

1 to respond may result in a recommendation to the United States District Judge assigned to this  
2 case that dispositive sanctions be issued against Defendants Nationwide Biweekly  
3 Administration, Inc. and Loan Payment Administration LLC, including dismissal of this action.

4       **IT IS HEREBY ORDERED** that Defense Counsel Carol Davis Zucker's Motion to  
5 Withdraw (ECF No. 156) is **GRANTED**.

6       **IT IS FURTHER ORDERED** that Defendant Daniel Lipsky shall notify the Court as to  
7 whether he intends to proceed pro se or retain counsel by **September 16, 2020**. Failure to notify  
8 the Court as to his representation status may subject him to dispositive sanctions, including a  
9 recommendation for dismissal of this action.

10      **IT IS FURTHER ORDERED** that Defendant Nationwide Biweekly Administration, Inc.  
11 shall have until **September 16, 2020** to advise the Court if it will retain new counsel. Failure to  
12 notify the Court as to their new representation may subject it to dispositive sanctions, including a  
13 recommendation for dismissal of this action.

14      **IT IS FURTHER ORDERED** that Defendant Loan Payment Administration LLC shall  
15 have until **September 16, 2020** to advise the Court if it will retain new counsel. Failure to notify  
16 the Court as to their new representation may subject it to dispositive sanctions, including a  
17 recommendation for dismissal of this action

18      **IT IS FURTHER ORDERED** that the Clerk of the Court shall add the last known  
19 addresses of Defendants to the civil docket and send a copy of this Order to Defendant's last  
20 known address:

21             Daniel Lipsky  
22             8234 Voltaire Court  
23             Waynesville, Ohio 45068  
24             (937) 673-0730

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26             ///

1           Nationwide Biweekly Administration, Inc.  
2           c/o Daniel Lipsky, Registered Agent  
3           8234 Voltaire Court  
4           Waynesville, Ohio 45068  
5           (937) 673-0730  
6

7           Loan Payment Administration LLC  
8           c/o Daniel Lipsky, Registered Agent  
9           8234 Voltaire Court  
10          Waynesville, Ohio 45068  
11          (937) 673-0730  
12

13          DATED: August 18, 2020



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DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE